

Message Text

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ACTION EA-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-03 H-01 INR-05 L-02

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TO SECSTATE WASHDC PRIORITY 8586

C O N F I D E N T I A L MANILA 13826

E.O. 11652: GDS

TAGS: PINT, RP

SUBJECT: OLIGARCH'S HUNGER STRIKE MAY LEAD TO TRIAL

REF: A. MANILA 13613

B. STATE 256103

1. BEGIN SUMMARY: LOPEZ/OSMENA HUNGER STRIKE NOW IN FOURTH DAY. IN BACKGROUNDER REPORTED ONLY BY FOREIGN PRESS, GOVERNMENT THROUGH INFOSEC HAS LABELED IT AN INCITEMENT AND INDICATED IT WOULD RESULT IN TRIAL. IF TRIAL TAKES PLACE IT WILL PRESUMABLY INVOLVE (AT LEAST AS WITNESS) AMCIT LEHMAN WHO ALLEGEDLY PARTICIPATED IN PLOT TO ASSASSINATE MARCOS. WE DOUBT GOP REALLY WANTS TRIAL; IS SURPRISED AT YOUNG OLIGARCH'S PERSEVERANCE; AND IS IN A QUANDARY ON EXACTLY HOW TO PROCEED. END SUMMARY.

2. AFP REPORT CITED PARA 8 REF B AND CARRIED NOVEMBER 21 WIRELESS FILE (WHICH APPARENTLY BASED ON BACKGROUNDER) REPORTED GOP THROUGH INFOSEC TATAD HAD FLATLY STATED IT WOULD PUT FASTING OLIGARCHS LOPEZ AND OSMENA ON TRIAL. TATAD REPORTEDLY SAID GOP HAD NOT GONE AHEAD WITH TRIAL DESPITE STRONG EVIDENCE IN HOPE THERE MIGHT BE POSSIBLE GROUND FOR CLEMENCY. NOVEMBER 21 AP REPORTED TATAD TERMED HUNGER STRIKE "INCITEMENT" WHICH WOULD RESULT IN LOPEZ AND OSMENA BEING CHARGED IN COURT. NOVEMBER 22 AP REPORT (ZEITLIN) FURTHER AMPLIFIES
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TATAD'S REMARKS REPORTING HE SAID DEPARTMENT OF NATIONAL

DEFENSE PLANNED TO BRING CHARGES AGAINST LOPEZ AND OSMENA AND SPEED THEM TO TRIAL. ZEITLIN ALSO NOTES SECRETARY OF DEFENSE ENRILE HAD PREPARED STATEMENT ON CASE BUT WITHDREW IT PRIOR PUBLICATION.

3. LOPEZ AND OSMENA BEGAN FAST MONDAY NOVEMBER 18 ALTHOUGH GOVERNMENT CLAIMS THEY ATE THAT MORNING. GOVERNMENT HAS REPORTEDLY ISOLATED TWO MEN WHO PREVIOUSLY SHARED SAME COTTAGE, SUSPENDED THEIR VISITATION PRIVILEGES, REFUSED THEM READING MATERIALS, ETC. GOVERNMENT ALSO TURNED DOWN WIVES' REQUEST FOR DAILY VISITS BY PANEL OF FOUR EMINENT PHYSICIANS. DETAINEES SUBSISTING ON OLD GANDHI DIET OF SALT, WATER AND BICARBONATE OF SODA. ACCORDING TO WIVES' NOVEMBER 21 PRESS RELEASE, MILITARY ARE TEMPTING DETAINEES WITH "MOUTHWATERING AND STEAMING FOOD TO BREAK THEIR DETERMINATION."

4. FOREIGN JOURNALISTS GIVING STORY BIG PLAY. IT HAS NOT YET APPEARED IN RECENTLY "UNFETTERED" PRESS OR RADIO. OTHER DETAINEES HAVE NOT JOINED OLIGARCHS STRIKE SINCE ACCORDING TO MRS. OSMENA "THEY BELIEVE THEY (LOPEZ, OSMENA) WERE DOING IT FOR THEMSELVES."

5. AP REPORTS (NOV 22) MANILA'S OUTSPOKEN ARCHBISHOP SIN DISCUSSED HUNGER STRIKE IN DINNER SESSION WITH FOREIGN REPORTERS EVENING NOVEMBER 21, AND LATER ISSUED STATEMENT CRITICAL OF GOVERNMENT'S DETENTION POLICY (TEXT AND COMMENT SEPTEL).

COMMENT: WE ASSUME TATAD'S REMARKS MADE ON BASIS OF HIGH LEVEL GUIDANCE BUT DOUBT REGIME, WHICH APPARENTLY SURPRISED BY OLIGARCHS' PERSISTENCE, HAS DEFINITELY CONCLUDED MILITARY TRIAL OF LOPEZ AND OSMENA IN ITS BEST INTEREST. HUNGER STRIKE IS OBVIOUSLY EMBARRASSING TO REGIME. POTENTIALLY MORE EMBARRASSING, HOWEVER, COULD BE SHOW TRIAL (WHICH REQUIRES CAREFUL PREPARATION) AT A TIME WHEN GOP ACCENTUATING HOW MUCH MARTIAL LAW HAS BEEN MODIFIED OVER LAST TWO YEARS. SINCE LOPEZ AND OSMENA ALLEGED TO HAVE PARTICIPATED IN ASSASSINATION PLOT
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AGAINST MARCOS, IN WHICH AMCIT LEHMAN IMPLICATED, WE WOULD EXPECT LEHMAN MIGHT FIGURE IN THEIR TRIAL EITHER AS CO-DEFENDANT OR WITNESS.

STATE 257500 JUST RECEIVED. WE THINK FOREGOING RESPONSIVE TO QUESTIONS RAISED THIS MESSAGE. WE INTEND CONTINUING MONITOR THIS SUBJECT CLOSELY.
SULLIVAN

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